

# KIRKLAND POLICE DEPARTMENT

123 5th Avenue Kirkland, WA 98033

CASE# 2018-00005961

## CASE REPORT

### NARRATIVE

18-5961

J. Klein #618

Assault

17 Feb 2018

Narrative

On 17 February 2018 at about 1709 hours I responded to Fairfax Hospital, located at 10200 NE 132<sup>nd</sup> St. Kirkland WA 98034, about the report of a patient who had assaulted two staff members over the last 24 hours. Before arriving it was reported that the suspect had since calmed down and was in his room alone.

I arrived at the address above and spoke with [REDACTED] and [REDACTED] [REDACTED] who is [REDACTED] direct supervisor. [REDACTED] who reported that he had been assaulted by a patient the previous evening and now wanted to report the assault. [REDACTED] stated that he did not go to the hospital to seek medical treatment at the time and that he still did not need medical treatment. I did not note any immediate external physical injuries to [REDACTED]

Before leaving the area [REDACTED] reported that a different nurse had been assaulted on the morning of the 17<sup>th</sup> by [REDACTED]. He reported the female [REDACTED] had also been assaulted, however she was no longer at the Hospital and was not available for contact at that time.

[REDACTED] provided a written statement about the incident. At the time of the alleged assault [REDACTED] stated that he is a registered nurse and was working in that capacity when the assault occurred inside Fairfax Hospital. Anthony stated that at about 1805 hours on 16 February 2018 a patient, [REDACTED], was causing a disturbance in the area of the hospital he was assigned to. [REDACTED] talked with [REDACTED] about his behavior and stated that it was not acceptable. [REDACTED] proceeded to tell [REDACTED] that he could punch and spit on him and that [REDACTED] could not do anything. [REDACTED] then left the area to continue with assigned duties. Minutes later when [REDACTED] was walking through the hallway [REDACTED] stepped in front of [REDACTED] blocking his path. Without warning [REDACTED] then punched [REDACTED] twice on the left side of his head with a closed fist. Additional staff members had to come to [REDACTED] s aid and restrain [REDACTED] [REDACTED] stated when he was hit he felt a great amount of pain and that he has had a headache ever since being punched in the head. [REDACTED] reported that despite being restrained, [REDACTED] continued to yell that he was going to punch everyone in the hospital once he was released.

[REDACTED] explained that [REDACTED] has been at the Hospital for about 3 - 4 days on a court order hold (involuntary). Ever since [REDACTED] has been there he has threaten to punch staff members and has even spit on them before. I explained that since [REDACTED] was there on a mandatory court order hold that I would not be able to take him into custody. I took photos of [REDACTED] and had him

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DATE

2/17/2018

REVIEWED BY

Bressler, Raymond C

02/18/2018

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### NARRATIVE (continuation)

point to the exact location on his head where [REDACTED] had hit him. I later uploaded the photos into the case file.

I asked if there was security footage in the area where the assault had occurred. [REDACTED] stated there area cameras in the area but that he did not have access to them. I asked various hospital staff if anyone currently at the hospital had access to the security, which they replied no, however someone would be there on Monday morning who could review and make a copy of the footage. I left my business card along with the case number and date of the incident in order to obtain a copy of the footage.

While I was taking a written statement from [REDACTED] about his incident, [REDACTED] called 911 to report that he had just been assaulted by [REDACTED]. [REDACTED] stated that he is a registered nurse and was working in that capacity as the "Charge Nurse" of the area where [REDACTED] was assigned to. [REDACTED] provided a written statement about the incident. While I spoke with [REDACTED] a second time I noted that the left side of his face was red and swollen. [REDACTED] declined any medical assistance but stated that his face still hurt and that he was dizzy.

[REDACTED] also provided a written statement about the incident. [REDACTED] reported that at about 1830 hours on 17 February 2018 he was at the nurse's station in the area where he is assigned. [REDACTED] approached them and asked for a snack. [REDACTED] was told that he could not have a snack since it was not the appropriate time. [REDACTED] got upset and proceeded to pull down his pants and began to urinate through the holes in the glass at the nurse's station. [REDACTED] explained that there is a glass partition that has several small holes in it which area about 4 -5 feet off of the ground so they can speak with the patients. [REDACTED] exited the nurse's station and told [REDACTED] to finish going to the bathroom at the available bathroom down the hallway. [REDACTED] pulled his pants up, without warning, [REDACTED] punched [REDACTED] on the left side of his face with a closed fist. [REDACTED] immediately backed away from [REDACTED] as he continued to try and strike him again. Additional staff members again were required to come and assist with restraining [REDACTED]. [REDACTED] again continued to yell that he was going to keep punching people and that they could not do anything to him. [REDACTED] reported that he felt both a great amount of pain and dizzy after [REDACTED] had assaulted him.

Photos were taken of [REDACTED] and his injuries which were later uploaded into the case file. I again asked for a copy of the video footage of this incident as well for the case file.

Both [REDACTED] and [REDACTED] stated that they DID wish to assist with prosecution for the assault that caused both injury, pain, and fear.

I then spoke with [REDACTED] who was the on-duty manager for the hospital at the time I was there. I explained to [REDACTED] that I could not take custody of [REDACTED] since he was there on a mandatory court order hold and that I would be filing the charges through investigation.

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████████ stated that she did not feel comfortable with having █████ remain inside the hospital since he had assaulted three (3) staff members in the last 24 hours and continues to threaten to assault other staff members (as mentioned earlier, the other victim was not available to me).

████████ was adamant that she was not comfortable with having █████ inside the facility. She stated that █████'s actions were a behavioral issue and not a physiological issue that they could help with. █████ did not go into any additional details about █████'s mental state or why he was at the Hospital to begin with.

████████ took it upon herself to contact the Medical Director/Service Director of the Hospital, ██████████, and inform him of the incidents. ██████████ informed me that based upon her recommendation, as well as the Medical Director's authorization, that they were going to release ██████████ from the court ordered hold. I again explained to her that I did not ask or instruct her to have ██████████ released from their Hospital since a Judge had order the involuntary hold. ██████████ stated that they would bring ██████████ to the front entrance of the Hospital and that it was up to us if we wanted to take him into custody or not. To reiterate, law enforcement made it clear to hospital staff that they were NOT asking to have ██████████ released from the facility, that action occurred solely at the hands of hospital staff / director.

Based upon ██████████ actions as well as the written statements of ██████████ and ██████████'s I found there was probable cause to arrest ██████████ for two (2) counts of RCW 9A.36.031 Assault 3<sup>rd</sup> Degree (Nurse/Health Care Worker). About 20 minutes after I spoke with ██████████, ██████████ was walked to the front entrance of the Hospital. I told ██████████ that he was under arrest for assaulting the nurses at the Hospital. I placed him in handcuffs, checked them for proper fit, and double locked them for safety.

After placing him in handcuffs I read him his Miranda Rights verbatim from my department issued Miranda Card. ██████████ verbally acknowledged his right and then began to mumble words that I was not able to hear and/or understand. Based upon the unknown mental state of ██████████ I did not ask him any investigation questions about the assaults.

Before leaving the Hospital I received a copy of ██████████ intake paperwork as well as a green piece of paper that ██████████ stated "released" ██████████ from the mandatory court ordered hold.

████████ was administratively booked at the Kirkland Jail before being transported to King County Jail where he was booked for two (2) counts of RCW 9A.36.031 Assault 3<sup>rd</sup> Degree.

While he was in custody ██████████ did not complain of any injuries or medical conditions. I did not note any major medical issues or injuries. ██████████'s property that had been with him at the Hospital was transported with him and given to Corrections Officers at King County Jail.

As of the submission of this report I am not able to confirm the report of the 3<sup>rd</sup> victim's assault.

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Unknown when her next shift is and/or if she is willing to assist with prosecution.

I completed the felony filing paperwork before the end of my shift. All of the paperwork was included in the case file I submitted.

N/F

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618 Klein	2/17/2018	Bressler, Raymond C